



COMMITTEE OF ADJUSTMENT
Wednesday, September 15th, 2021

The regular Meeting of the Municipality of East Ferris Committee of Adjustment was held on Wednesday, September 15th, 2021 at 7:00 p.m. via Zoom.

PRESENT: Bill Boake, John Symons, John O'Rourke, Frank Corbeil, Erika Loughed, Terry Kelly, Al Herauf, Manager of Planning and Economic Development, Greg Kirton, Recording Clerk, Kari Hanselman

EXCUSED ABSENT: None

ALSO IN ATTENDANCE: Travis Busschaert and Brian Fay

1. ADOPTION OF AGENDA:

Resolution No. 2021-25
Frank Corbeil – Bill Boake

THAT the draft agenda presented to the Committee and dated the 15th day of September, 2021 be hereby adopted as circulated.

CARRIED

2. ACCEPTING THE MINUTES OF THE PREVIOUS MEETING(S):

Resolution No. 2021-26
Terry Kelly – Frank Corbeil

THAT the Minutes of the Committee of Adjustment Meeting of August 18th, 2021 be adopted as circulated.

CARRIED

3. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF:

Committee member Bill Boake declared a Pecuniary Interest on agenda item 6(a). Mr. Boake was removed from the Zoom meeting at 7:04 p.m. and did not participate in the discussion or vote on this item.

4. RATEPATER'S DELEGATIONS: None for this session

5. BUSINESS ARISING FROM THE LAST MEETING: None for this session



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6. PUBLIC HEARING:

a) B-2021-22 & B-2021-23
Travis Busschaert – Fay Road

A public meeting was held on an application submitted by Travis Busschaert requesting permission from the Committee to create two new lot for residential purposes. This application was previously before the Committee, but was deferred to verify the road allowance locations and property boundaries of adjacent properties.

Mr. Busschaert addressed the Committee and advised he would like to sever off two, two-acre parcels both with 75 meters of frontage on Fay Road. Mr. Kirton advised a title search was completed and Fay Road, where it veers off the road allowance, and the location of the road allowance are both owned by the municipality, which should alleviate any access concerns.

Brian Fay joined the meeting. The Committee addressed his concerns about a clause in the previous Official Plan capping the number of severances allowed on a piece of property and wetlands in the area. The North Bay Mattawa Conservation Authority had no objections to the application. The road is not a forced road and was transferred to the Municipality in 2008.

The MTO and Hydro One had no objections to the application. Mr. Kirton's report had no objections. The application was approved by the Committee.

DECISION OF CONSENT (File B-2021-22 & B-2021-23):

Frank Corbeil – Al Herauf – Terry Kelly – Erika Loughheed – John O'Rourke – John Symons

We, the undersigned, in making the decision upon this application have considered whether or not the requested consent is in conformity with the policies laid out in the East Ferris Official Plan and consistent with the requirements of section 51(24) of the *Planning Act*.

CONCUR in the following decision and reasons for decision on the 15th day of September, 2021.

DECISION: That the requested consent to create one new additional lot be approved, conditional upon the following for each application:

- 1) That confirmation is provided that all taxes are paid up to date;
- 2) That a plan of survey is prepared and filed with the Municipality;
- 3) That a plan of survey be sent electronically to the Municipality of East Ferris's Community



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Planner;

- 4) That the applicant pays \$250.00 in finalization fee prior to the transfer of the parcel of land;
- 5) That the applicant is required to pay \$1000.00 per consent application to the Municipality of East Ferris for the Parkland Dedication Fee prior to the transfer of the severed land;
- 6) That the transfer(s)/Deed(s) of Land is submitted to the Secretary-Treasurer for the Issuance of the Certificate of Consent under subsection 53 (42) of the Planning Act, R.S.O. 1990, c.P.13, as amended;
- 7) That subsection 50(3) of the Planning Act, R.S.O. 1990, c.P. 13 as amended applies to any subsequent conveyance or transaction of or in relation to the parcel of land being the subject of this consent; and
- 8) That all conditions must be filled within one year from the date the notice of decision has been given otherwise this provisional consent will lapse and the application for consent shall be deemed to be refused as per Section 53 (41) of the Planning Act, R.S.O. 1990, c.P.13, as amended.

REASONS FOR DECISION:

The Committee has considered the application and based it's decision upon:

- 1) Conformity with the *Planning Act*
- 2) Public comments submitted
- 3) Conformity with Provincial Policy
- 4) Conformity with East Ferris Official Plan

Public input was received at the public meeting.

Mr. Boake rejoined the Committee meeting at 7:17 p.m.

b) A-2021-09
Georgette Bellaire & Richard Carrier – 867 Quae Quae Road

Mr. Kirton advised that the applicants are unable to attend the meeting, but given the simplicity of this application the Committee can choose to go ahead if they wish. The Committee agreed to proceed without the applicants present.

The request is to allow a 98.4 m² garage while 89.2 m² is allowable. The applicants told Mr. Kirton they would reduce the size if they could, but the garage is pre-built. Hydro One, the MTO, and the North



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Bay Mattawa Conservation Authority had no objections to the application and the application was approved.

DECISION OF MINOR VARIANCE (File A-2021-09) :

Bill Boake – Frank Corbeil – Al Herauf – Terry Kelly – Erika Lougheed – John O’Rourke – John Symons

We, the undersigned, in making the decision upon this application have considered whether or not the variance requested was minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and Official Plan will be maintained.

CONCUR in the following decision and reasons for decision on the 15th day of September, 2021.

DECISION: That the requested variance to permit the increase in accessory structure floor area for the subject lands be approved.

REASONS FOR DECISION:

- 1) The general purpose and intent of the Official Plan is being maintained;
- 2) The general purpose and intent of the Zoning By-law is being maintained;
- 3) The development is desirable and appropriate for the land and consistent with the neighbourhood; and
- 4) The variance is minor in nature.

PUBLIC INFORMATION:

No public input was received at the public meeting and COA is of the opinion that the proposal is consistent with Provincial Policy, the general intent and purpose of the Official Plan and Zoning By-law, the development is desirable and appropriate for the land and the variance is minor in nature.

7. IN-CAMERA: None for this session

8. CORRESPONDENCE: None for this session



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9. ADJOURNMENT:

Resolution No. 2021-27
Frank Corbeil – John Symons

That the Committee of Adjustment meeting adjourn at 7:21 p.m.

CARRIED

Chair, John O'Rourke

Greg Kirton, Manager of Planning